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Grand Alliance – CP Ships Atlantic Agreement

between

Party A

- 1. Hapag-Lloyd Container Linie GmbH (HL)
- 2. Nippon Yusen Kaisha (NYK)
- 3. Orient Overseas Container Line Limited, Orient Overseas Container Line Inc. and Orient Overseas Container Line (Europe) Limited (acting as one party) (OOCL)
- 4. P&O Nedlloyd Limited/P&O Nedlloyd BV (as one party) (PONL)

(collectively referred to as the "Grand Alliance Lines" or individually as a "Grand Alliance Line")

and

Party B

CP Ships USA LLC (CP Ships)

FMC Agreement No. 011705-006

(3rd Edition)

Original Effective Date: June 4, 2000

Grand Alliance-CP Ships Atlantic Agreement FMC Agreement No. 011705-006 (3rd Edition) First Revised Page No. 1

This Agreement is made the 18th day of April, 2000. Between

(1) Party A - Grand Alliance Lines

Hapag-Lloyd Container Linie GmbH

Ballindamm 25, 20095 Hamburg, Germany

(HL)

Nippon Yusen Kaisha

3-2 Marunouchi 2-chome,

Chiyoda-ku, Tokyo 100, Japan

(NYK)

Orient Overseas Container Line Limited, Orient Overseas Container Line Inc. and

Orient Overseas Container Line (Europe) Limited

(acting as one party)

31/F, Harbour Centre,

25 Harbour Road, Wanchai,

Hong Kong

(OOCL)

P&O Nedlloyd Limited/P&O Nedlloyd BV

(acting as one party)

Beagle House, Braham Street,

London E1 8EP, England

(PONL)

(hereinafter referred to collectively as the Grand Alliance Lines and individually as a Grand Alliance Line)

and

Party B - CP Ships USA, LLC (CP Ships)

401 East Jackson Street, Suite 3300, Tampa, Florida 33602 United States rotations in the Service as described in Clause 6, or as otherwise agreed.

Loop Allocation Share	means	The shares by which the Slots and, where appropriate, other capacity allocations on each Vessel in the relevant Loop will be allocated and by which total allowances for
		Slot provision and voyage costs will be shared in accordance with Clause 12. Loop Allocation shares are calculated according to the provisions of Clause 9.
Owner	means	The Line being the owner, disponent owner or charterer of a Vessel being Party.
Party/ies	means	HL, NYK, and OOCL and PONL acting jointly as Party (A) and/or CP Ships (Party (B)). Party A and Party B collectively referred to as the "Parties" or individually as a "Party".
Principal Carrier	means	the Line which is the carrier under the bill of lading or other contract of carriage to a third party in respect of goods carried in the Service
Service	means	the services operated by Parties pursuant to this Agreement consisting of a number of Loops as agreed.
Slot	means	The space on any Vessel or any other vessel for the stowage of containers. Each Slot shall be the space required for the carriage of one standard ISO Twenty Foot Equivalent Unit (TEU)
Slot days	means	In respect of the financial settlement relating to a Vessel, the measurement unit of one Slot per calendar day.
Standard Slot Capacity	means	The agreed Slots on a Vessel